



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.: **10/730,742**

Confirmation No. **2684**

Filed: **December 8, 2003**

Applicant(s): **Piechowiak et al.**

Title: **IMPROVED METHOD, SYSTEM
AND APPARATUS FOR OPENING
DOORS**

Art Unit: **Not Yet Assigned**

Examiner: **Not Yet Assigned**

Attorney Docket No.: **82986**

Customer No.: **22242**

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

12/8/04
Date

Kenneth H. Samples
Kenneth H. Samples

Registration No. 25,747

Attorney for Applicant(s)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts dated 3/10/04, enclosed are:

- ☒ A copy of the Notice to File Missing Parts.
- ☒ A Petition to Revive an Unintentionally Abandoned Application under 37 CFR 1.137(b).
- ☒ An executed Declaration for Patent Application, including Power of Attorney.
- ☒ Preliminary Amendment.
- ☒ An Assignment of the invention to The Chamberlain Group, Inc.,
and Recordation Form Cover Sheet - Patents Only - Form PTO-1595.
- ☐ A check in the amount of \$_____ to cover the fee for recording the assignment.
- ☒ The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.

Application No. 10/730,742
Response dated December 8, 2004
Notice to File Missing Parts dated 3/10/04

☒ Fee Calculation: ***Please calculate the filing fee after entering the Preliminary Amendment***

Fee Calculation For Claims As Filed

<input type="checkbox"/> Provisional Application Basic Fee	\$ 160.00	
Surcharge under 37 C.F.R. § 1.16(1)	\$ 50.00	
<input type="checkbox"/> Non-Provisional Utility Application Basic Fee	\$ 790.00	\$ 790.00
Independent Claims 3 - 3 = 0 x \$ 88.00		= \$ 0.00
Total Claims 10 - 20 = 0 x \$ 18.00		= \$ 0.00
Fee for Multiply Dependent Claims	\$ 300.00	
Surcharge under 37 C.F.R. § 1.16(e)	\$ 130.00	\$ 130.00
<input type="checkbox"/> Design Application Basic Fee	\$ 340.00	
Surcharge under 37 C.F.R. § 1.16(e)	\$ 130.00	
Total Filing and/or Surcharge Fee	\$ 920.00	
<input type="checkbox"/> Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27), reducing the Filing/Surcharge Fee by half to:		\$ 0.00

☐ A check in the amount of \$_____ to cover the Filing and/or Surcharge Fee.

☒ Charge \$ 920.00 to Deposit Account No. 06-1135. (*Trans. No.* _____)

☒ The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. § 1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Director is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

12/8/04
Date

Kenneth H. Samples
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Registration No. 25,747

FITCH, EVEN, TABIN & FLANNERY
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IFW/PAC



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
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10/730,742

Atten: Thomas A. O'Rourke
Bodner & O'Rourke, LLP
425 Broadhollow Road
Melville, NY 11747



6/10/04
PPJ

CONFIRMATION NO. 2684

FORMALITIES LETTER



OC000000012061521

Date Mailed: 03/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - The pages of specification including the abstract and claims are not consecutively numbered starting with page "1".
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:

12/14/2004 MBERHE 00000045 061135 10730742

01 FC:1001 790.00 DA
02 FC:1051 130.00 DA

- Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 1-6, 33, 38, 45.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$926 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

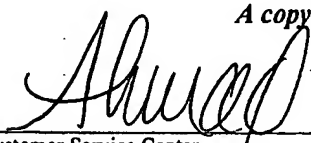
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1826 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$926
 - \$602 for 7 independent claims over 3.
 - \$324 for 18 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY